

**ARKANSAS DEPARTMENT OF EDUCATION
RULES GOVERNING
THE ARKANSAS BETTER CHANCE PROGRAM**

SECTION 1 – REGULATORY AUTHORITY

- 1.1 These rules are enacted pursuant to the authority of the State Board of Education's authority under Ark. Code Ann. 6-11-105 and 6-45-101 et seq. as amended.
- 1.2 The Division of Child Care and Early Childhood Education, [Arkansas](#) Department of [Health and](#) Human Services, shall coordinate and administer the Arkansas Better Chance Program, providing all appropriate technical assistance and program monitoring necessary to fulfill the requirements of Ark. Code Ann. 6-45-101 et seq., 20-78-206 and 6-11-105. DCCECE will annually provide the State Board of Education a list of grants which are recommended for funding for the next year.
- 1.3 The State Board of Education will approve all rules developed pursuant to Act 212 of 1991 and Act 49 of 2003 as amended and will approve all programs funded under the Arkansas Better Chance Program.

SECTION 2 – PURPOSE

- 2.1 It is the purpose of these rules to set the general guidelines for the operation of early childhood programs funded under the Arkansas Better Chance Program and the Arkansas Better Chance for School Success Program.

SECTION 3 – DEFINITIONS

- 3.1 ABC: Arkansas Better Chance
- 3.2 ABCSS: Arkansas Better Chance for School Success. Unless standards for ABC and ABCSS are listed separately, all requirements of ABC apply to ABCSS.
- 3.3 ADE: Arkansas Department of Education
- ~~3.4 ADHS: Arkansas Department of Human Services~~
- [3.4 APSCN: Arkansas Public School Computer Network](#)
- [3.5 CACFP: Child and Adult Care Food Program \(Special Nutrition\). A federally-funded subsidy program administered by DCCECE designed to provide reimbursement to providers for meals and snacks served to children from low-income families.](#)
- [3.6 CCFH: Child Care Family Home](#)
- 3.7 CDA: Child Development Associate ~~credential~~
- [3.8 COPA: Child Outcome, Planning and Assessment. A web-based information technology system used to capture and maintain data for all children and families enrolled in ABC.](#)

3.9 Core Quality Components: The six key areas of ABC which include:

- Low student to teacher ratio
- Well-qualified & compensated staff
- Professional development
- Developmental Screening and Child Assessment
- Meaningful parent and community engagement activities
- Proven curricula and learning processes

These components which serve as the basis of ABC funding levels.

3.10 DCCECE: Division of Child Care and Early Childhood Education

3.11 DHHS: Arkansas Department of Health and Human Services

3.12 DRP: Deficiency Removal Plan

3.13 FPL: Federal Poverty Level

3.14 IDEA: Individuals with Disabilities Education Act

3.15 In-kind services: Support services provided at either no cost or without monetary exchange. To use in-kind services as match, services must be provided to ABC.

3.16 HIPPY: Home Instruction for Parents of Preschool Youngsters

3.17 LEA: Local Education Agency

3.18 PAT: Parents as Teachers

3.19 Single-Site Classroom: One ABC classroom at a geographic location

3.20 Multi-classroom Site: Multiple ABC classrooms which are located on the same premises

3.21 SSN: Social Security Number

3.22 Shall: Mandatory standard

3.23 Should: Standard is recommended but not mandatory

3.24 Work Sampling System (WSS): A web-based instrument used by ABC programs to assess a child's progress in various educational domains over the program year.

SECTION 4 – CHILD ELIGIBILITY

4.1 The ABC Program serves educationally deprived children, ages birth through 5 years, excluding a kindergarten program. The Arkansas Better Chance for School Success Program serves children ages 3 and 4 years from families with gross income not exceeding 200% of the FPL.

4.2 To be eligible, children shall reside within the boundaries of an Arkansas school district. Programs may accept children outside of their local area if they have exhausted local recruiting efforts and have unfilled ABC slots.

4.3 Eligible ~~students~~ children for the ABC program shall have at least one of the following characteristics:

- ~~Low-income family (up to 200% of the FPL)~~
- Family with gross income not exceeding 200% of FPL
- Parents without a high school diploma or GED
- Low birth weight (below 5 pounds, 9 ounces)
- Parent is under 18 years of age at child's birth
- Immediate family member has a history of substance abuse/addiction
- Income eligible for Title I programs
- Eligible for services under IDEA
- Parent has a history of abuse or neglect or is a victim of abuse or neglect,
- A demonstrable developmental delay as identified through screening
- Limited English Proficiency

4.4 Eligible ~~students~~ children for the ABC for School Success program must meet the following qualifications:

- Must be three or four years of age by the cutoff date set by ADE
- Gross family income shall not exceed 200% of the FPL
- A program is available in the area where the child resides and there is available space for the child to attend the program. (Note: In order To receive special education services a child must reside within certain district/co-op boundary lines.

A kindergarten-eligible child may not participate in ABCSS without certification from an independent developmental or medical specialist that placement in a pre-K classroom is in the best interest of the child. In such cases, a waiver shall be sought from and documentation furnished to DCC-ECE.

4.5 To enroll an eligible child, the child's parent or guardian shall furnish documentation of eligibility and other required information ~~upon request~~. A list of all acceptable documentation will be published annually by DCCECE, including the disclosure of annual household income and household member information. Children of parents or guardians refusing to furnish required information shall be deemed ineligible for participation in ABC. Programs are responsible for verifying eligibility before the child attends and shall maintain copies of eligibility documentation in the child's portfolio.

4.6 A copy of the child's birth certificate or hospital record listing a date of birth is required.

4.7 In determining income eligibility, programs shall use a family's gross income from employment plus any unemployment compensation. Recent records (within 30 days) shall be used to document eligibility. DCCECE shall publish a list of acceptable documentation annually. If a family is qualified, that family shall remain eligible for the program year.

4.8 Families claiming no earned income (full-time students or unemployed) shall produce a signed and notarized statement to that effect.

4.9 Parents or guardians shown to have submitted a falsified document shall be subject to repayment of funds to DCCECE and referral for prosecution.

4.10 An age-eligible child who falls into one of the following categories shall be exempt from family income requirements:

- Foster child
- Child with an incarcerated parent
- Child in the custody of a family member other than mother or father
- Child with immediate family member arrested for or convicted of drug-related offenses
- Child with a parent activated for overseas military duty

4.11 The ADE and DCCECE may develop a fee schedule and establish eligibility based on family income for children who are not eligible under Section 4.4, but priority enrollment shall be provided to children eligible under Section 4.4. Families who are qualified for enrollment under a sliding fee scale should pay fees directly to the program. The amount of any parent co-pay as determined by DCCECE will be deducted from the reimbursement to programs accepting children on a sliding fee scale.

4.12 ~~In rare circumstances,~~ DCCECE, with approval from ADE, may grant waivers to children not meeting the eligibility criteria under Sections 4.2 or 4.3 but possessing multiple risk factors for learning and developmental impairment. Requests for such waivers must be submitted to DCCECE in writing and will be considered on a case by case basis.

4.13 Children ~~meeting~~ having certain risk factors ~~qualifications~~ may be eligible for home-based visiting services, in addition to attending a center-based ABC program. ~~By July 1, 2005, DCCECE will establish a process by which such services may be applied for. The State Board of Education will have final approval for any exception to the requirements of 4.2 and 4.3.~~ See Section 18.6 for eligibility requirements.

SECTION 5 – PROGRAM/AGENCY ELIGIBILITY

- 5.1 Any child care provider meeting the criteria below is eligible to apply for funding:
- Located within the boundaries of the State of Arkansas
 - Licensed by DCCECE as a Child Care Center or Child Care Family Home with a ~~satisfactory history~~ no founded complaints or corrective action within 12 months of application date OR has a facility which is licensable
 - Has no outstanding debt to DCCECE due to overpayments or erroneous billing. (This requirement shall be suspended if an appeal is pending.)
 - Has obtained State Quality Approval accreditation OR is eligible for such accreditation in the space to be used for the ABC program
 - Can provide matching funds in accordance with local to state 40:60 funding ratio

The local-to-state match may be waived by DCCECE if the school program is in a school district that has been designated by ADE as being in academic distress and DCCECE determines that the school is unable to provide the local-to-state match requirement. This determination may be made only after DCCECE has assisted the school in identifying potential funding sources to provide local-to-state match requirements.

- 5.2 Any provider wishing to be considered for funding must fully complete a grant application supplied by DCCECE. Grant applications will be evaluated and scored by DCCECE on the following factors:
- The degree to which the program can provide a developmentally appropriate preschool program as outlined in the grant application
 - A strategy of collaboration with the local business and education community
 - A fiscally-responsible budget which correlates to core quality components
 - A plan of action for parent involvement
- 5.3 DCCECE will determine an acceptable cutoff score for approved applications. Questions and concerns regarding grant scoring should be referred to the Program Administrator. The ~~DCCECE~~ [ABC](#) Program Administrator ~~or Division Director~~ shall make the final determination of all grant scores. Grant scores are final.
- 5.4 All applications shall include an appropriate budget which corresponds to the core quality components for ABC, details all costs associated with the program and demonstrates the cost effectiveness of the program and the use of federal, state, local and private funds in conjunction with ABC grant monies. Allowable costs include:
- salaries and fringe benefits
 - instructional materials and equipment
 - staff development
 - developmental screenings
 - meaningful parent and community engagement activities
 - stipends for staff working toward a degree or credential.

SECTION 6 – FUNDING

- 6.1 Upon approval of an ABC application, the order of funding shall be based on criteria stated in Act 49 of 2003, which includes areas of the state containing:
- Schools that have 75% or more students scoring below proficiency level on the primary benchmark exams (math and literacy) in the preceding two (2) school years
 - Schools designated by ADE as being in school improvement status
 - Schools located in a school district in academic distress.
- Other factors determining areas to be funded may include socio-economic status of the service area and the availability of existing quality preschool services in an area.
- 6.2 Any program funded ~~with~~ [through](#) ABC ~~monies~~ shall work in collaboration with DCCECE, ADE, local businesses and other early childhood providers (school districts, Head Start, HIPPY, private and non-profit providers, etc.) to ensure that all eligible children are served in the most suitable environment. This collaboration shall include, but is not limited to, [participation in local collaboration meetings](#), sharing of waiting list information and referring children to other programs when appropriate. ~~Funding for ABC programs refusing to collaborate may not be renewed the following year.~~
- 6.3 The required local 40% match may include [only the cost of](#) funding or appropriate in-kind services. ~~Federal funding sources, including the cost of EPSDT screening, may be used as local match.~~

- 6.4 ~~Arkansas Better Chance~~ [State ABC](#) Funding (60%) for the core components of the program may include salaries and fringe for staff giving direct services to ABC children, professional development, child assessment, developmental screening, meaningful parent and community engagement activities, proven curricula and learning processes, transportation and administration.
- 6.5 The maximum amount of funding is based upon projected child enrollment. Programs will be paid quarterly. Once a grant agreement is signed, a full quarterly payment will be issued. Payment for subsequent quarters will be based upon actual enrollment. [Programs will be reimbursed for any child attending at least one-half of the quarter.](#) ~~In any quarter, if actual enrollment is less than 80% of projected enrollment, the quarterly payment will be deducted on a per child basis.~~ Overpayments [or the amount of any end of year carry-forward funds](#) may [shall](#) be deducted from future ~~funding~~ [payments](#).
- 6.6 Payment may be ~~delayed~~ [withheld](#) if programs do not comply with reporting requirements.
- 6.7 ABC is intended to supplement, not supplant, existing [early childhood](#) funding sources.
- 6.8 Funding, not to exceed 2% of the total ABC funding pool, shall be available from the ABC monies for the additional support services required of DCCECE in administering the ABC program.

SECTION 7 – REPORTING

- 7.1 Each ABC program shall submit to DCCECE two (2) financial expenditure reports—[due on January 30 and July 30 of each year](#)—and periodic [quarterly](#) reports—[due on September 30, December 10 and March 30 of each year](#)—which detail ~~program statistics~~ [operating expenses and enrollment data](#). Programs shall receive guidance from DCCECE on the specific format of each report.
- 7.2 A complete and final disclosure audit of each ABC program is required and must be submitted annually for review to DCCECE. Any ABC program that is annually reviewed by Legislative Audit may submit the summary completed by that agency. All final audits shall be submitted within 120 days of the program's fiscal year completion.
- 7.3 Programs that fail to adhere to a reporting deadline or respond to a request for information by DCCECE will be subject to corrective action as outlined in Section 20.
- [7.4 Children qualifying under the sliding fee scale must be clearly marked as such in quarterly enrollment reports to DCCECE. Programs shall also report any non-ABC qualifying children who have been assigned to an ABC classroom. Failure to do so is grounds for corrective action.](#)

SECTION 8 – APPLICATION/RENEWAL APPLICATION

- 8.1 The Request for Applications will specify all application procedures for an ABC program. DCCECE is not obligated to review any proposal received after the submission deadline [stated in the application](#).

- 8.2 If all ABC monies ~~monies~~ [funds](#) are not allocated or expended during any program year, the DCCECE may initiate an additional application period to fully obligate all available funds.

SECTION 9 – MINIMUM STANDARDS/CLASSROOM PROGRAMS

- 9.1 All ABC classroom programs shall satisfy the requirements specified in The Child Care Licensing Act, ACA 20-78-201 through 224 and rules and regulations enacted pursuant to these sections.
- 9.2 All ABC classrooms ~~classrooms~~ [center-based programs](#) shall maintain a license in good standing as referenced in Section 9.1. Any ABC program whose license is revoked shall be immediately terminated from the ABC program.
- 9.3 [Agencies that are barred from participating in DHHS programs pursuant to DHHS Policy 1088 shall be ineligible for participation in ABC. Grant agreements for any existing programs excluded pursuant to this policy shall be terminated immediately.](#) Programs placed on corrective action by DHS shall be subject to ABC corrective action as outlined in Section 20.
- 9.3 DCCECE is directly responsible for the inspection and evaluation of programs as referenced in Section 9.1. Inspections and monitoring visits may occur without prior notice. This includes quality visits, program reviews or any other visit by a DCCECE or authorized representative.
- 9.4 All ABC classrooms shall meet the criteria for becoming an "approved" Early Childhood program under the Arkansas Child Care Approval System Rules and Regulations, Ark. Code Ann. 6-45-103 and 106 (Supp. 1993). An overall average of 5.5 with a minimum of 4.5 in each sub-scale is required for the Environmental Rating Scale or scales that are applicable to each program. [DCCECE will utilize the following procedure for](#) any program failing to meet these requirements: ~~is subject to corrective action up to and including termination from the ABC program.~~
- [1st No Pass: Recommendations for improvements will be made by the program monitor and DCCECE Program Specialist. Technical assistance is recommended.](#)
- [2nd No Pass: Technical assistance shall be mandated. Program is advised that the site will have one additional opportunity to meet the requirements.](#)
- [3rd No Pass: Site shall not be renewed at the end of the program year.](#)
- [Programs may not physically move a site for the purpose of circumventing this procedure. If a program moves a site to another location but retains the same ownership, those classrooms will count as the original site under this rule. Technical assistance may include recommendations for staff or management changes.](#)
- 9.5 For each child enrolled, ABC programs shall provide a minimum of 178 instructional days per year [and a minimum of 7.5 hours per day](#) ~~with a minimum of seven contact hours.~~ [Staff breaks not taken during the children's rest time must be in addition to these hours.](#)

- 9.6 Programs shall utilize a parent handbook specifically designed for the ABC program. Attendance and tardy policies shall be clearly outlined in the handbook. Programs should stress the importance of attendance and arrival time to parents. Programs should direct specific cases to DCCECE for technical assistance or guidance.

SECTION 10 – STAFF/PUPIL RATIO FOR CLASSROOM PROGRAMS

- 10.1 Regardless of licensing capacity, the group size in any classroom with ABC children shall not exceed:

- 8 children for ages birth-18 months
- 14 children for ages 18 months-3 years
- 20 children for ages 3-5 years

Programs may integrate ABC classrooms with children funded through other sources. However, the maximum group sizes listed above apply to ALL children in a classroom containing ABC children, regardless of funding source.

- 10.2 The adult-to-child ratio in any classroom with ABC children shall not exceed:

- 1:4 (birth to 18 months)
- 1:7 (18 months-3 years)
- 1:10 (3 years-5 years)

- 10.3 A minimum of 50% of the staff must remain in the classroom during rest time for children 3-5 years old only. Full staffing must occur for all other ages and at all other times, including meals.

- 10.4 Pursuant to licensing regulations, a teacher or aide may escort a child or group of children to a bathroom or school nurse if another qualified staff person remains in the classroom. This allowance is for short periods only and does not include staff breaks or errands.

SECTION 11 – STAFF QUALIFICATIONS AND TRAINING REQUIREMENTS

- 11.1 The lead teacher shall hold a bachelor's degree or higher in early childhood education, elementary education, special education or ~~Family and Consumer Science with an emphasis in child development~~ AND shall hold a valid standard Arkansas P-4 teacher license certification. ~~Teachers who hold a valid K-6 license are exempt from the P-4 requirement.~~ Lead Teachers must be able to demonstrate competency in the areas of developmentally appropriate programming, curriculum development and daily classroom management.
- 11.2 For multiple classroom sites, the teacher of a second classroom shall hold, at a minimum, an associate degree in early childhood education or early childhood development. Teachers must be able to demonstrate competency in the areas of developmentally appropriate programming, curriculum development and daily classroom management.

- 11.3 The paraprofessional ~~aid~~ shall hold a minimum of one of the following: an associate degree in early childhood education or [child](#) development OR a CDA credential. [Paraprofessionals are an integral part of classroom instruction and should be given responsibilities which are commensurate with their education and experience. In general, paraprofessionals should be able to assist with classroom activities, interaction, supervision and observation.](#)
- 11.4 [Staff members serving as “floaters” or permanent](#) substitute teachers ~~serving in an ABC classroom more than ten (10) days in a program year must have a minimum of twelve (12) hours of early childhood education or development training~~ [complete coursework in Early Childhood Frameworks and Pre-K ELLA.](#) A CDA or AA [in early childhood](#) is preferred.
- 11.5 [Teachers or paraprofessionals who take an indefinite leave of absence must be replaced with someone who meets the qualifications of the respective position or has been approved to work in the program through a DRP.](#)
- 11.6 [An ABC program coordinator or site director without teaching responsibilities shall meet the minimum licensing requirements for a center director AND possess a Bachelor’s degree in an appropriate area, such as educational administration, human resources or business management. Coordinators without early childhood hours or experience shall also participate in an DCCECE-approved professional development plan.](#)
- 11.7 [Caregivers in an infant/toddler ABC room shall hold a minimum of a CDA credential in infant/toddler care.](#)
- ~~11.5 ABC staff members who work directly with children in a Child Care Family Home setting must have a minimum of a CDA and must demonstrate continued professional development towards a higher degree in early childhood.~~
- 11.8 [Unqualified](#) staff members ~~hired before July 1, 2005~~ may work in an ABC program under an approved ~~Deficiency Removal Plan~~ [DRP](#). DCCECE will [approve DRPs on a case-by-case basis and shall](#) monitor the plan to ensure adequate progress is being made. [Programs shall file a DRP request with DCCECE within fifteen \(15\) days of the date of hire and shall submit progress reports on January 30 and July 30 annually.](#)
- 11.9 While adhering to the necessary qualifications, ABC programs should also strive to maintain an ethnically diverse staff appropriate to child enrollment.
- 11.10 [Between July 1 and June 30](#), all ABC teachers and aides shall ~~be required to~~ participate in [a minimum of](#) thirty (30) hours of staff development ~~annually~~ on topics pertinent to early childhood education. Persons who are obtaining an early childhood degree may count college course hours pertinent to early childhood education toward the required hours of staff development. [Programs should multiply semester hours by 5 to obtain the number of semester hours counted towards ABC professional development.](#)

11.11 Teachers and paraprofessionals shall be required to receive training in the following areas:

- Arkansas Early Childhood and [or](#) Infant/Toddler Education Frameworks
- Pre-K ELLA (Early Literacy Learning in Arkansas)
- Math/Science for Young Children
- Social/Emotional Benchmarks for Young Children [Learning in Arkansas](#)
- ~~Preschool children with special needs~~
- Work Sampling Online ~~(or assessment instrument chosen by DCCECE)~~
- [COPA](#)

~~The training requirements also apply to any substitute teacher who serves more than four (4) weeks per year in an ABC classroom.~~ With the exception of annual Work Sampling training and updates, timeframes for completing such requirements may vary with availability and access to the above trainings. [DCCECE may mandate additional training subject to needs in various locations.](#)

11.12 [In addition to the requirements of 11.11, coordinators for each](#) ABC programs shall ensure that all appropriate staff members attend mandatory ABC training (budgets, reporting, assessments, information technology, etc.) ~~Mandatory training shall be provided by DCCECE.~~ Programs with staff members not adhering to these requirements are subject to corrective action as outlined in Section 20.

11.13 The ~~director~~ [ABC program coordinator](#) and all [ABC](#) staff ~~working directly with children in an ABC program~~ shall register with the Arkansas Early Childhood Professional Development System [Registry](#).

SECTION 12 – STAFFING PATTERNS/CLASSROOM PROGRAMS

12.1 Single classroom sites shall have a teacher qualified under section 11.1 and a paraprofessional aide qualified under section 11.3.

12.2 In multi-classroom sites, the following staffing patterns shall be adhered to:

# Classrooms	Lead Teacher (11.1)	Classroom Teacher (11.2)	Paraprofessional (11.3)
1	1	0	1
2	1	1	2
3	1	2	3
4	2	2	4

[For sites with more than four classrooms, programs must provide a lead teacher \(11.1\) for every three classrooms.](#) Lead teachers are responsible for curriculum, program planning & oversight of aides.

~~12.3 Classrooms must be divided in such a way as to eliminate distractions and disruptions from other classes and provide all of the necessary elements for ABC classroom activity. Permanent walls or dividers are preferable. It is the responsibility of each program to demonstrate that the classroom arrangement does not impede learning.~~

SECTION 13 – PROGRAM STANDARDS

- 13.1 All early childhood programs funded by ABC monies shall be developmentally appropriate and individualized to meet the needs of each student enrolled. Guidelines published by the National Association for the Education of Young Children (NAEYC) and the Arkansas Early Childhood Education Framework will be used to determine developmental appropriateness. ~~(Bredenkamp, Sue, Editor, *Developmentally Appropriate Practice in Early Childhood Programs Serving Children from Birth Through Age 8*).~~
- 13.2 Each classroom should be a fully-equipped separate room. Dividers shall be arranged and of sufficient height to prohibit distractions from other classes yet not hinder proper supervision within the classroom. Programs must demonstrate that the classroom arrangement can meet “substantial portion of the day” as defined by the environmental rating scales. ~~program~~
- 13.3 Each classroom shall be equipped with toys, books and play apparatus to take care of the needs of the total group and to provide each child with a variety of activities through the day. A variety of this equipment shall be accessible from low shelves to the children of all ages and shall be arranged in learning centers.
- 13.4 The program shall be individualized to meet the needs of each student enrolled. Each curriculum model and the actual classroom practice will be assessed using the ~~Early Childhood Environment Rating Scale or the Infant/Toddler~~ applicable environmental rating scale ~~(Clifford/Harms)~~ to ensure the model is developmentally appropriate.
- 13.5 The program shall have a written overall curriculum plan which is arranged in thematic units, projects or topics of study and includes goals and objectives related to the following: cultural diversity, social/emotional development, creative/aesthetic learning, cognitive/intellectual learning, physical development and language.
- 13.6 ~~The curriculum shall be supported by developmentally appropriate materials that encourage hands-on manipulation of real objects (manipulative) and shall significantly correlate to the Arkansas Early Childhood Frameworks.~~ All programs sites must utilize a curriculum approved by DCCECE. A list of approved curriculum models will be made available by DCCECE on an annual basis. A program wishing to use a curriculum not on the list may request, in writing to DCCECE, consideration of an additional curriculum. Program coordinators shall ensure teachers have adequate training on curriculum selected.
- 13.7 Children shall participate in a daily schedule that reflects a balance among the following types of activities: indoor/outdoor; quiet/active; individual/small group/large group; gross motor/fine motor; child initiated/teacher initiated.
- 13.8 Routine and transition times throughout the day, such as preparing for mealtime, shall be used as opportunities for incidental learning. Transition times shall be planned to avoid frequent disruption of children's activities and long waits between activities.

13.9 Programs shall ~~implement and~~ maintain individual child portfolios on site. At a minimum, portfolios shall contain the following copies of:

- Birth certificate or hospital birth record
- Documentation of program eligibility for ABC or ABCSS
- Application form ~~which includes basic child information~~
- Emergency information, including non-parental contact and medical information
- Parental authorization for medical care, daily pick-up and field trips
- Field trip authorization
- Completed health form and Immunization/~~health~~ record
- Record of completed ~~health screening and~~ developmental assessment and referral made to Special Education, if applicable
- Samples of children's work
- Teacher & parent observations and summaries of parent-teacher conferences
- Individualized Education Plans and other pertinent communication with therapists or Special Education
- Work Sampling Summary Reports and Developmental Checklists

Portfolios shall be available for inspection by DCCECE staff. If certain records must be stored off-site, copies shall be made and given to teachers to maintain in a portfolio on-site. In maintaining and updating child and family data, ABC programs shall utilize the information technology database selected by DCCECE. ~~DCCECE will be responsible for providing mandatory training on this system.~~ Teachers shall give the child's portfolio to the parent upon completion of or disenrollment from the program.

13.9 Discipline shall reflect positive guidance, be consistent and individualized for each child. Such discipline shall be appropriate to the child's level of understanding and directed toward teaching the child acceptable behavior and self-control. Corporal punishment is an unacceptable method of discipline for children in ABC funded programs and shall not be used. Programs shall specifically define their approach to handling inappropriate behavior in the ABC parent handbook.

13.10 When confronting challenging behavior, ABC programs shall take multiple steps to intervene and correct the behavior using a constructive approach before discussing dismissal from a program. Such intervention shall ensure each child has access to professional services, such as referrals to the educational cooperative, community mental health center and a private therapist. ~~must have the approval of DCCECE before involuntarily dismissing any child, unless the child's behavior threatens the safety of other children. Programs found to be in violation of this requirement shall be subject to corrective action.~~ DCCECE shall be notified of any serious discipline concern.

13.11 If children demonstrate inappropriate behavior which adversely affects developmental performance, the ABC program shall consult with the Early Childhood Special Education program regarding classroom modifications and interventions.

13.12 Teacher-parent discussions regarding a child's behavior shall be held in private and shall focus on an intervention plan for correcting the inappropriate behavior. Teachers should request technical assistance from DCCECE on any discipline issues on which they have questions.

13.13 The arrangement of indoor and outdoor equipment, materials and interest areas for each group shall provide for:

- Accessibility to equipment and materials so that children may select and return them easily
- An orderly, uncluttered atmosphere
- Visual and/or auditory supervision of children in all areas
- Separation of active and quiet play areas
- Traffic patterns that avoid disruption of activities

13.14 At a minimum, developmentally appropriate equipment and materials of sufficient quantity to accommodate a sustained learning environment shall be provided in the following interest areas/learning centers:

- | | |
|---------------------------------|------------------------------|
| 1. Blocks | 5. Discovery/Science Sensory |
| 2. Dramatic Play | 6. Sand/Water Play |
| 3. Stories/Language Development | 7. Manipulative |
| 4. Art | 8. Music |

13.15 The Outdoor play area shall be used for as an extension of the learning activities that occur in the classroom. As such, ABC staff shall participate in this activity.

13.16 The outdoor play area shall be developmentally appropriate and meet the Consumer Product Safety Commission standards for outdoor play areas. The outdoor play area shall provide the following:

- A variety of surfaces
- An arrangement designed for appropriate flow of activities
- Climbing and other active play items and structures
- Open areas for running and games
- Opportunities for dramatic play
- Adequate storage for equipment and materials
- Partial shade
- Quiet, private spaces
- A separate outdoor area equipped for infants and toddlers (if applicable)

13.17 Provision should be made through program design and networking efforts to ease the transition of children moving from one program or age grouping to another or to public school kindergartens. This provision must include lesson plans and specific activities written into the program design.

13.18 ABC programs are required to provide free nutritious meals and snacks for all children enrolled in ABC/ABCSS. Mealtime is an opportunity to engage children in conversation about the day and themselves. It is preferable for ABC children to have meals in the classroom. If children eat in a cafeteria or other common area, the children shall be given an appropriate amount of time for meals and conversation. ABC staff shall participate with the children during this time.

13.17 Parents or guardians of children qualified as eligible for ABC services shall not be required to pay any fees or provide food or supplies during ABC program hours. This includes enrollment and field trip fees.

13.18 Electronic mail is a necessary means by which DCCECE communicates vital information to programs. All participating programs must maintain a working e-mail address which is checked daily. Applicable information shall be distributed to classroom staff by the program coordinator.

SECTION 14 – ASSESSMENT AND SCREENINGS

- ~~14.1 DCCECE shall be responsible for the assessment of children enrolled in the ABC program.~~
- 14.1 DCCECE and ADE shall work cooperatively to ensure that the assessments are conducted as required by Act 49 of 2003.
- 14.2 Children in the ABC program shall be assessed annually to provide an indication of each child's progress towards school readiness.
- 14.3 The assessment shall address a child's strengths, progress, and needs and shall serve as a central part of an effective early childhood program. The assessment instrument selected by DCCECE and ADE shall be used for children enrolled in an ABC program.
- 14.4 A comprehensive longitudinal study shall be implemented to evaluate the ABC program to ensure that the program goals are achieved. The study will be designed to use sound research-based evidence to determine whether the programs meet the expected standards. This research shall include children entering the program at ages three (3) and four (4) years and follow the children through completion of the fourth grade benchmark exams. Research results will be provided annually to the Governor and the Senate Interim Committee on Education and the House Interim Committee on Education.
- 14.5 ~~Within forty-five (45) days of entering an ABC program,~~ By September 30 or within five (5) days of the first day of attendance, whichever is later, each child in ABC shall receive ~~a comprehensive health screening and a~~ an annual developmental screening to determine individual needs. ~~It is the responsibility of the parent or guardian to complete the health screening in a timely manner. The program agency shall be responsible for completing the developmental screening. and shall contact the Preschool Education Program in the appropriate Education Service Cooperative or local school district within seven (7) calendar days of a failed screening. A developmental screening must be performed annually, while a health screening is valid for two (2) years.~~
- 14.6 The developmental screening must include, at a minimum, the following areas: vocabulary, visual-motor integration, language and speech development, fine and gross motor skills, social skills and developmental milestones. The purpose of screening is to identify developmental delays and/or educational deficiencies. Appropriate referrals shall be made to Special Education within seven (7) calendar days of the date of screening if children require additional assessment. Programs shall comply with state and federal laws for Special Needs students.
- 14.7 DCCECE will provide a list to programs of all acceptable developmental screening instruments on an annual basis.

- 14.8 Within 45 days of the first day of attendance, every child shall receive an age-appropriate ~~A comprehensive~~ health screening performed by a licensed physician or physician assistant. ~~for ABC children shall include the following components:~~

- ~~1. Growth and nutrition~~
- ~~2. Development assessment~~
- ~~3. Unclothed physical~~
- ~~4. Neurological exam~~
- ~~5. Cardiac status~~
- ~~6. Vision~~
- ~~7. Hearing~~
- ~~8. Teeth~~
- ~~9. Lab tests (Appropriate for age & population group)~~
 - ~~a. Hematological~~
 - ~~b. Urinalysis~~
- ~~10. Immunization status~~

~~DCCECE shall provide programs with a standardized form to be distributed to parents. This form should be signed by the physician or nurse practitioner administering the health screening. Parents or guardians shall return the signed form to the program. Programs should contact DCCECE for information on seeking a waiver from this requirement may be granted under Ark. Code Ann. 6-18-701 (Repl. 1993). Programs shall work in partnership with parents to obtain health screening information.~~

- 14.10 ~~Children shall be age appropriately immunized to attend an ABC program. On or before the first day of attendance, parents or guardians shall provide proof that their child is current on all required of current immunizations or is on an acceptable "catch up" schedule will be required before a child attends an ABC program. A waiver from this requirement may be granted from the DHHS Division of Health under ACA 6-18-702 (Repl. 1993). Programs shall maintain a record of immunizations in the child's portfolio.~~

SECTION 15 – PARENT AND COMMUNITY INVOLVEMENT

- 15.1 Each program shall have a plan for parent involvement which includes opportunities for parental input into program operation and design. Parent involvement plans shall include a mechanism for parental advice and review of programmatic plans, parent conferences and a method to involve the parent in the child's educational experience.
- 15.2 The program shall have an "open door" policy for parents which encourages visiting and participation in classroom activities. Opportunities for at least two parent-teacher conferences shall be given to parents.
- 15.3 The program shall publish and utilize a parent handbook specifically for the ABC program.
- 15.4 Each program shall have a plan for community/school district/educational services cooperative/agency involvement, which includes a description of how cooperation with other service providers who are concerned with the education, welfare, health and safety needs of young children, will be established and maintained. Programs should consider providing opportunities for community representatives to participate in the educational activities of the classroom.

SECTION 16 – TRANSPORTATION

- 16.1 Any child who is less than 6 years old and weighs less than 60 pounds shall be restrained in a child passenger safety seat. Any child who is at least 6 years or weighs at least 60 pounds must be restrained by a safety belt. (Ark. Code Ann. 27-34-104). Conventional school buses are exempt from this requirement except for the transportation of infants/toddlers.
- 16.2 Infants and toddlers shall not be transported on school buses that are not equipped to accommodate required child safety seats.
- 16.3 If ABC children are transported on public school buses, the program shall submit to DCCECE a plan for the following:
- Escorts to and from the bus pickup area
 - A visual identification method for buses and children to ensure children get on the correct bus
 - A thematic unit on bus safety to be presented to the children in the ABC preschool classroom at the beginning of each program year

Programs must comply with child care licensing regulations on transportation and staff-child ratio. Programs must obtain an alternative compliance waiver from the Licensing Unit before deviating from any transportation requirement. Program Rosters shall be used daily to track all ABC children being transported [by the ABC program](#) ~~on a school bus~~. Copies of all rosters shall be kept on file for inspection by DCCECE.

- 16.4 Offering transportation to and from an ABC program is strictly optional. DCCECE and ADE accept no liability for the transportation of children participating in an ABC program.

SECTION 17 – OTHER PROGRAM MODELS

- 17.1 Alternate programs may include, but are not limited to, [Licensed Child Care Family Homes](#), ~~Head Start, Home Based~~, PAT and HIPPY. These programs will comply, where applicable, with the regulations herein.
- 17.2 All ABC funded alternate program models will be developmentally appropriate, meet applicable health and safety standards, provide developmental and health screenings and ensure immunizations of the child served.

SECTION 18 – HIPPY REGULATIONS

- 18.1 HIPPY programs shall meet program criteria as outlined in the contractual agreement signed by each site with Arkansas Children's Hospital and HIPPY USA.
- 18.2 Each HIPPY program serving at least 160 families must have one (1) full-time coordinator, holding a minimum of a bachelor's degree in education, social work, sociology, psychology, or related field. Those coordinators without a related degree must obtain at least 12 college course hours per year. This coordinator shall also meet additional job requirements as described in the HIPPY USA Coordinator job description. New HIPPY Coordinators must attend National HIPPY Preservice Training and receive certification.

- 18.3 HIPPY Home Based Educators who work 20-24 hours per week may not serve more than 15 families; Home Based Educators who work 25-30 hours may not serve more than 22 families and Home Based Educators working 31-40 hours per week may not serve more than 27 families. Minimum requirements for home educators include a high school diploma/GED and a current CDA [credential](#) certificate. All new HIPPY home-based educators must attend new Home-based Educators training provided by Arkansas State HIPPY.
- 18.4 Hiring of any HIPPY coordinator or home-based educator not meeting the requirements of 18.02-18.03 must be approved by DCCECE [through a DRP](#). ~~HIPPY staff hired prior to July 1, 2005 may work in an ABC HIPPY program under an approved Deficiency Removal Plan.~~ DCCECE shall monitor such plans to ensure adequate progress is being made.
- 18.5 HIPPY programs may serve children 3 and 4 years of age or a child who does not meet the compulsory school entry age.

18.6 In order to dually enroll a child in an ABC center and HIPPY, a child must meet the ABC income requirements (< 200% FPL) plus possess at least three of the following factors:

- | | |
|--|--|
| ○ Parents without a high school diploma or GED | ○ Child lives in a single parent household or has parents who are divorced |
| ○ Birth weight < 5 pounds, 9 ounces | ○ Child is a foster child |
| ○ Parent is < 18 years of age at child's birth | ○ Child has parent who is incarcerated |
| ○ Family has a history of substance abuse/addiction | ○ Child has parents who cannot read |
| ○ Eligible for services under IDEA | ○ Child is homeless |
| ○ Parent has a history of abuse or neglect or is a victim of abuse or neglect | ○ Child or parent has limited English Proficiency |
| ○ Child exhibits a demonstrable developmental delay as identified through an appropriate screening | |

Home-visiting programs shall be responsible for verifying eligibility before enrolling the child. Dual enrollment shall not exceed 25% of the total ABC enrollment.

18.7 Center-based and home-visiting programs shall collaborate in providing services to any child qualifying for dual enrollment under 18.6. Center-based programs shall be responsible for assessments and screenings. This information shall be shared with the home-visitor assigned to the family, as well as any IEP or special needs information.

- 18.8 The Arkansas HIPPY Training and Technical Assistance (T & TA) Office will monitor and assist HIPPY programs throughout the state. Annual program site reviews and assessments will be forwarded to DCCECE for consideration of program compliance and funding renewal. The Arkansas HIPPY T & TA Office will assist DCCECE with determining program compliance at the local level.
- 18.9 HIPPY programs shall meet requirements as set forth in Sections 4-7 and 14-16.
- 18.10 Group meetings should reflect the educational programming standards as set forth in Section 13 and guidelines set forth in the HIPPY model.

- 18.11 Any enhancements designed to complement the HIPPY curriculum must be approved by the Arkansas HIPPY T & TA Office prior to implementation with families.

SECTION 19 – PAT REGULATIONS

- 19.1 PAT Programs shall meet program criteria as outlined in the PAT Program Implementation and Planning Guide.
- 19.2 All PAT Coordinators must attend the PAT Institute Training and obtain either a Parent Educator Certificate or an Administrator's Certificate.
- 19.3 Each program must have a certified Parent Educator. The Parent Educator may also serve as Coordinator.
- 19.4 PAT Parent Educators working on a part-time basis (20 hours per week) should serve 30 and not more than 40 children and their families.
- 19.5 PAT Programs shall operate on a twelve month, year-round basis. Families must be offered twelve personal visits and six parent group meetings.
- 19.6 PAT Programs may serve children from the prenatal period to five years of age with proper certification.
- [19.7 PAT programs may enroll children also participating in a center-based program under the guidelines of 18.6.](#)
- 19.8 PAT Programs must coordinate services with HIPPY Programs where both exist in the same community to avoid duplication of services.
- 19.9 PAT Programs shall meet requirements as set forth in Sections 4-7 and 14-16.

SECTION 20 – CHILD CARE FAMILY HOMES

- [20.1 Licensed child care family homes participating in ABC must meet the same requirements as an ABC center, except where listed in this section.](#)
- [20.2 Group size for an ABC classroom in a CCFH shall not exceed ten \(10\) children or maximum licensing capacity, whichever is less.](#)
- [20.3 ABC staff working in an CCFH must possess a minimum of a CDA credential and file a DRP which outlines a plan to complete a coursework towards a four-year degree in early childhood or child development.](#)
- [20.4 In evaluating the ABC program in a CCFH, the Family Day Care Rating Scale \(FDCRS\) shall be utilized. Family homes shall be subject to the same guidelines as listed in 9.4.](#)

SECTION 21 – CORRECTIVE ACTION

- 21.1 An ABC program found to be out of compliance with any ABC Rule or Regulation is ~~subject to the implementation of~~ [shall be placed on](#) a Program Improvement Plan. ~~Through the plan, programs must meet all ABC regulations within a specified time frame~~ [During this time, a program must make all necessary corrections](#) or be [subject to termination](#) ~~terminated~~ from the ABC program. Serious Compliance deficiencies may result in immediate termination from the ABC program, denial of future ABC funds, repayment of ~~monies~~ [funds](#) and exclusion from participation in any DHS programs.
- 21.2 Issues for corrective action may include, but are not limited to:
- Founded licensing or maltreatment complaints
 - [Any other violation of minimum licensing standards](#)
 - Revocation of Quality Approval status or failing to meet Quality Approval standards
 - Financial mismanagement, [including use of ABC funds for programs other than ABC](#)
 - [Habitually](#) late reports or missing information
 - Program deficiencies documented by DCCECE or any authorized representative
 - [Erroneous or fraudulent billing of DCCECE vouchers or Special Nutrition programs](#)
 - Falsification of any document or information
 - Hiring of unqualified staff [without a DRP](#)
 - Staff members not meeting the requirements of a ~~Deficiency Removal Plan~~ [DRP](#)
- 21.3 Any program who submits a falsified document will be subject to immediate termination from the ABC program, repayment of funds and possible referral of program officials and/or responsible employees for criminal prosecution.
- 21.4 An ABC program may appeal any adverse action taken by DCCECE. Such appeals must be in writing and be received within thirty (30) days of the notice of corrective action. A program wishing to appeal should send a written notice to Attention: DCCECE Division Director, P.O. Box 1437, Slot S-140, Little Rock, AR 72203. The Division Director will make a recommendation to the State Board of Education, which will issue a [final](#) ruling.
- ~~20.5 Programs wishing to appeal any decision by the State Board of Education must submit a request for an Administrative Hearing in writing to the DCCECE Division Director within thirty (30) days of the ruling by the State Board of Education.~~